

Thirty-third Legislature at its Regular Session amending Article 4632 of Chapter 4 of Title 68 of the Revised Civil Statutes of the State of Texas of 1911 relating to the granting of divorces."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Davis:

S. B. No. 40, A bill to be entitled "An Act to provide for the formation of corporations to contract for the performances of engineering services in making investigations, designs, estimates of costs, valuations, and reports upon public or private utilities, improvements and industrial works; to supervise and direct their construction, enlargement or repair; and to perform such duties and acts as require engineering skill, experience and advice."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Triplett:

S. B. No. 41, A bill to be entitled "An Act to provide for the creation of a commission on uniform State laws, the appointment of commissioners thereto, and the payment of the expenses of such commissioners and contribution to the support of the national conference of commissioners on uniform laws, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Triplett:

S. B. No. 42, A bill to be entitled "An Act creating and incorporating Common School District No. 16, of Jefferson County, Texas; defining and determining the boundaries of said School District; prescribing the manner of changing and modifying the boundaries of said School District; conferring upon said School District, except as otherwise provided in this Act, all the rights, powers, privileges and duties as are conferred and imposed by the General Laws of this State upon common school districts; providing for a board of District Trustees and prescribing the qualifications for members thereof, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

#### Adjournment.

On motion of Senator Holbrook the Senate, at 4:9 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

#### APPENDIX.

##### Committee Reports.

Committee Room,  
Austin, Texas, January 14, 1925.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have carefully examined and compared Senate Bill No. 1, and find the same correctly engrossed.

STRONG, Chairman.

Committee Room,  
Austin, Texas, January 14, 1925.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have carefully examined and compared Senate Bill No. 2, and find the same correctly engrossed.

STRONG, Chairman.

#### THIRD DAY.

Senate Chamber,  
Austin, Texas,  
Thursday, January 15, 1925.  
The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Davidson.

The roll was called, a quorum being present the following Senators answering to their names:

Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Parnell.	Wood.
Parr.	Woodward.
Pollard.	

Absent.

Hardin of Erath. Hardin of Kaufman

Absent—Excused.

Bailey.

Murphy.

Prayer by the Chaplain.

Pending the reading of the Journal

of yesterday, the same was dispensed with, on motion of Wirtz.

#### Bills and Resolutions.

By Senator Real:

S. B. No. 43, A bill to be entitled "An Act to provide for the purchase and conveyance to the State of Texas of the land in the City of San Antonio known as the Ancient Government Palace Property, which was the building used as the capitol of the Ancient Province of Texas; and for the care and preservation of said property; and appropriating the sum of fifty-seven thousand (\$57,000.00) dollars to carry out the provisions of this Act."

Read first time and referred to Committee on State Affairs.

By Senator Real:

S. B. No. 44, A bill to be entitled "An Act to relinquish, quit claim and grant unto all incorporated cities and towns within the State of Texas beds and channels of all rivers, streams and other channels that are now or ~~that~~ may hereafter be within the present or future corporate limits of such incorporated cities and towns so far as such river beds, streams and other channels may be owned or claimed as the property of said State, and declaring an emergency."

Read first time and referred to Committee on Town and City Corporations.

By Senator Davis:

S. B. No. 45, A bill to be entitled "An Act creating an additional District Court for Dallas County, One Hundred and First District, defining its jurisdiction, adjusting the business of the existing District Courts to the business thereof, prescribing the duties of the District Clerk with respect thereto and declaring an emergency."

Read first time and referred to Committee on Judicial District.

By Senator Holbrook and others:

S. B. No. 46, A bill to be entitled "An Act authorizing any private corporation for profit, hereafter or heretofore organized under the laws of this State, other than corporations authorized to conduct a banking or insurance business, to issue shares of its stock without nominal or par value, in such classes, with such preferences and for such consideration as may be prescribed and spec-

ifying the form of certificate for such stock; and providing for filing with Secretary of State statement showing total shares of all stock to be issued, classes thereof and actual consideration received by the corporation for shares issued without nominal or par value; and providing for not less than ten per cent of authorized number of said shares to be subscribed and paid for; and providing for the payment to the State of filing fees and franchise tax on stock without nominal or par value and determining the basis for computing such fees and tax; and providing for constituting outstanding shares of stock with nominal or par value into shares without nominal or par value and regulating and prescribing the method thereof; exempting corporations issuing shares without nominal or par value from provisions of Articles 1125 to 1130 inclusive, and Article 1141 of Revised Civil Statutes; and providing a penalty for a refusal or failure to make and file any report or certificate required by this Act; and providing the privileges and powers of this Act shall be in addition to and not in restriction or limitation of those now conferred by law, and that invalidity of part of this Act shall not affect or impair other provisions, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

#### Simple Resolution No. 8.

Senator Davis called for consideration of Simple Resolution No. 8 relating to "Federal Aid Appropriations".

The Chair laid the resolution before the Senate, as follows (see Journal of yesterday for the resolution in full.)

The resolution was read in full.

Senator Davis moved that the resolution be adopted, and, pending discussion, Senator Floyd offered the following amendment:

Amend S. R. No. 8 as follows: This resolution is not meant to be construed that the State of Texas is opposed to Federal aid for public highways."

The amendment was read, and, pending discussion of the resolution and amendment, Senator Davis moved that pending business be dispensed with and that the special

order of business, that of "term drawing," be taken up.

The motion was adopted.

#### Term Drawing.

The Chair here laid before the Senate the matter of term drawing and had the following resolution providing for the same, and adopted on yesterday, read:

Resolution in reference to determining the Senators who shall serve the short term of two years and who shall serve the long term of four years.

Be it resolved that the Secretary of the Senate is hereby requested to prepare thirty-one slips of paper of uniform size, color and appearance and then with pen and ink write figures on each of said slips of paper, the first slip to have written thereon the figure "1," the second of said slips to have written thereon the figure "2," and so on until all the slips of paper are used and the figures written on one of said slips, from "1" to number "31"; that then the Secretary of the Senate place each of said slips of paper in a separate envelope of uniform size and appearance, and seal each envelope; that then the Secretary place all thirty-one of said envelopes as sealed and containing, each, one of said slips of paper in a hat, or other open receptacle, on the table, or stand, used by the Secretary, and that the Secretary then and there shake up and cause to be mixed said thirty-one envelopes; that the name of each Senator then be called by the Secretary alphabetically and, as each Senator's name is called alphabetically, that said Senator walk to the stand, or table, where the hat or open receptacle is placed and withdraw one of said envelopes from the said hat or open receptacle, and that each Senator, as he draws said envelope from said hat or open receptacle and in the presence of the Secretary and Journal Clerk of the Senate, shall open said envelope and make declaration of the number drawn by said Senator. As each Senator shall announce, as herein provided, the number drawn by him, the Secretary of the Senate shall make record of the name of each Senator and the number drawn by him. The Senators drawing the even numbers, 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28 and 30

shall be and they are hereby declared to be entitled to the short term of two years; the Senators drawing the odd numbers 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31 shall be and they are hereby declared to be entitled to the long term of four years,—and it is so ordered—provided, however, that if any Senator be absent he may authorize some other Senator as his agent to act for him.

Senator Wirtz here announced that Senator Murphy, who was absent, had authorized him to draw for him, and accordingly he did so.

Senator Strong called attention to the absence of Senator Hardin of Kaufman and moved that the Sergeant-at-Arms, Mr. Holt, draw for Senator Hardin of Kaufman.

The motion was adopted.

In accordance with the above resolution the drawing proceeded, the following result being announced:

Senator Bailey drew No. 9—four year term—drawing by Senator Holbrook.

Senator Berkeley drew No. 11—four year term.

Senator Bledsoe drew No. 17—four year term.

Senator Bowers drew No. 15—four year term.

Senator Davis drew No. 18—two year term.

Senator Fairchild drew No. 13—four year term.

Senator Floyd drew No. 19—four year term.

Senator Hardin of Erath drew No. 5—four year term.

Senator Hardin of Kaufman drew No. 12—two year term—drawing by Sergeant-at-arms Holt.

Senator Holbrook drew No. 4—two year term.

Senator Lewis drew No. 7—four year term.

Senator Miller drew No. 16—two year term.

Senator Moore of Hunt drew No. 30—two year term.

Senator Moore of Cooke drew No. 8—two year term.

Senator Murphy drew No. 28—two year term—drawing by Senator Wirtz.

Senator Parnell drew No. 10—two year term.

Senator Parr drew No. 24—two year term.

Senator Pollard drew No. 1—four year term.

Senator Price drew No. 21—four year term.

Senator Real drew No. 25—four year term.

Senator Reid drew No. 23—four year term.

Senator Russek drew No. 26—two year term.

Senator Smith drew No. 27—four year term.

Senator Strong drew No. 14—two year term.

Senator Stuart drew No. 22—two year term.

Senator Triplett drew No. 2—two year term.

Senator Ward drew No. 31—four year term.

Senator Wirtz drew No. 6—two year term.

Senator Witt drew No. 29—four year term.

Senator Wood drew No. 3—four year term.

Senator Woodward drew No. 20—two year term.

#### Pending Business Resumed.

Action here recurred on the pending business, the Federal appropriation resolution, the action being on the amendment by Senator Floyd. After discussion Senator Davis moved to table the amendment; which motion to table was lost by the following vote:

Yeas—10.

Davis.	Moore of Hunt.
Fairchild.	Moore of Cooke.
Hardin of Erath.	Stuart.
Hardin of Kaufman.	Witt.
Holbrook.	Woodward.

Nays—15.

Berkeley.	Reid.
Bowers.	Russek.
Floyd.	Smith.
Miller.	Strong.
Parnell.	Triplett.
Parr.	Ward.
Pollard.	Wood.
Price.	

Absent.

Bledsoe.	Real.
Lewis.	Wirtz.

Absent—Excused.

Bailey.	Murphy.
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Action recurred on the amendment and the same was adopted.

The resolution, as amended, was then adopted by a record vote, as follows:

Yeas—20.

Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Holbrook.	Strong.
Miller.	Stuart.
Moore of Hunt.	Triplett.
Moore of Cooke.	Ward.
Parnell.	Witt.
Parr.	Wood.
Pollard.	Woodward.

Nays—5.

Berkeley.	Hardin of Kaufman
Bowers.	Price.
Hardin of Erath.	

Absent.

Bledsoe.	Real.
Lewis.	

Absent—Excused.

Bailey.

(Paired)

Senator Wirtz, present, voting "Yea" with Senator Murphy, absent, who would vote "Nay."

#### Message from the House.

Hall of the House of Representatives,  
Austin, Texas, January 14, 1925  
Hon. T. W. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 1, A bill to be entitled "An Act to make an appropriation of the sum of One Hundred and Twenty-five Thousand dollars (\$125,000.00), or so much thereof as may be necessary, payable out of the General Revenue not otherwise appropriated, to pay the mileage and per diem of officers and employes of the Thirty-ninth Legislature of the State of Texas, providing for the approval of accounts, and declaring an emergency."

S. B. No. 2, A bill to be entitled "An Act making an appropriation of Forty Thousand Dollars (\$40,000.00), or so much thereof as may be necessary, out of the General Revenue of the State of Texas, to pay the contingent expenses of the Regular Session of the Thirty-ninth Legislature of the State of Texas, providing how accounts may be ap-

proved, and declaring an emergency."

#### Executive Message.

Austin, Texas, January 15, 1925.  
To the Members of the Thirty-ninth Legislature.

Gentlemen:

Texas is a great State, broad in territory, unsurpassed in natural beauty, rich in tradition, having a history peculiarly her own. Our forefathers won our freedom on the field of battle, and for ten years before she became a State, Texas was one of the recognized Republics of the world. Our history is inspirational. It reads like an epic. Our State is filled with blood-bought spots and sacred shrines. Everything is here that is conducive to the striking of poetic fire from the Muses and the musical writers.

It is universally known that the loyalty, fidelity and patriotism of a people finds the highest expression in song. A patriot once said, "Let me write the songs of a people and I care not who makes their laws." Commensurate with this thought, nearly all of the Empires and Republics of the world have a National song. France has her "Marseillaise," Germany her "Watch on the Rhine," England her "God save the King," Italy her "Royal March," Mexico her "La Paloma," and Spain her "Himno de Riago." Just as the people of these nations are inspired by the music of their adopted anthems, so do the liberty-loving citizens of the United States thrill to the music of the "Star Spangled Banner."

Texas should have an adopted State song. Too long has this matter been delayed. Long ago we should have had a State song by and through which our people could voice in unison the deathless history, lofty ideals and glorious destiny of our commonwealth. For some years it was my thought that every loyal and patriotic Texan would readily acknowledge the wisdom and significance of the adoption through our Legislature of a State song that would properly symbolize our matchless history and our State's growth and glory.

For the purpose of giving impetus to such a movement, and with a hope of obtaining the most beautiful and appropriate State song possible, I offered, with the aid of a few generous friends, during the early months of

last year, a prize of one thousand dollars to the person who would compose and set to music a song that would meet with the approval of a special appointed music committee and that would thereafter be adopted as a State song by the Legislature at its next session, the prize to be payable only upon condition of the acceptance of the song by the committee, and its later adoption as a Texas State song by the Thirty-ninth Legislature.

Responding to this published notice, two hundred and eighty-six songs and poems were submitted. A number of them were from other States than Texas, and a few from foreign countries—one from Italy and one from Brazil. For the purpose of selecting the best song from this gathering, I named a committee of sixteen, some of whom were supposed to know all things about all music, some were supposed to know some things about some music, and some were not supposed to know anything about any kind of music, but who know a world of things about things generally, and knew how a State song ought to sound. This Music Committee so selected met some weeks ago in Austin, and after two days deliberation, selected a song named "Texas, Our Texas," written by W. J. Marsh and Mrs. Gladys Yoakum Wright of Fort Worth. The original song consisted of three verses. There were some objections, originally, to certain lines in the second verse of the song, and the committee, therefore, eliminated the second verse, and adopted as a State song the first and third verses of the song, as first submitted, and designated these two verses as a State song. These two verses, set to music, are attached hereto, and make Exhibit A. I am also sending to the Legislature, for its consideration, the entire three verses, the second verse having been rewritten by the authors since it was first submitted. The three verses, constituting the entire song, are as follows:

#### Texas, Our Texas.

Texas, Our Texas!  
All hail the mighty State!  
Texas, Our Texas!  
So wonderful—so great!  
Largest and grandest,  
Withstanding every test;  
O Empire, wide and glorious,  
You stand supremely blest.

Chorus:

God bless, you, Texas,  
And keep you brave and strong,  
That you may grow in power and  
worth  
Throughout the ages long.

Texas, O Texas!  
Your free-born Single Star  
Sends out her radiance  
To nations near and far.  
Emblem of Freedom!  
It sets our hearts aglow  
With thoughts of San Jacinto  
And glorious Alamo.

Chorus.

Texas, dear Texas!  
From tyrant grip now free,  
Shine forth in splendor  
Your Star of Destiny!  
Mother of Heroes!  
We come, your children true,  
Proclaiming our Allegiance—  
Our Faith—our Love for you!

Chorus.

The authors insisted that the three verses should be adopted as a State song in preference to the two verses, and I, therefore, submit the three verses to the Legislature for its consideration.

I heartily and most sincerely recommend that the Legislature, at this time, designate a State song. If the one herein submitted meets with your approval, it is thought by me that the State will have a song that will find a responsive echo in the hearts of the people of Texas.

Respectfully submitted.

PAT M. NEFF, Governor.

#### Simple Resolution No. 11.

By Senator Floyd.

Resolved that the authors of the Texas State Song, "Texas, Our Texas," be invited to appear before the State Senate and sing the song to this body that we may be the more able to determine its poetic and musical value.

The resolution was read and adopted.

#### Message From Senator Bailey.

The following message was laid before the Senate:

— Cuero, Texas, January 14, 1925.

Hon W. V. Howerton,

Secretary Senate, Austin, Texas.

Telegram received. Please convey to the Senate my heartfelt apprecia-

tion of and profound gratitude for their resolution of condolence and sympathy and I sincerely trust that I may soon be able to be with them and to participate with them in the transaction of the business of our State and its citizenship.

JOHN H. BAILEY.

#### S. C. R. No. 5 and 6.

Senator Davis moved that S. C. R. No. 5 be laid on table subject to call. The motion was adopted. A like motion was made to lay S. C. R. No. 6 on table subject to call, which motion was adopted.

#### Simple Resolution No. 12.

By Senator Wood.

Be it resolved by the Senate that the Senate Chamber be tendered to the Inaugural Ball Committee of Austin on the evening of the 20th of January for Reception and Inaugural Ball.

The resolution was read and adopted.

#### Recess.

On motion of Senator Floyd, the Senate, 11:50 o'clock a. m., recessed until 3 o'clock today.

#### After Recess.

The Senate was called to order by Lieutenant Governor Davidson.

#### Bills and Resolutions.

(By Unanimous Consent.)

By Senator Bledsoe:

S. B. No. 47, A bill to be entitled "An Act validating Common School District No. 25 of Gaines County, Texas, and validating an issue of bonds heretofore voted by said district; defining the powers of the county board of school trustees of Gaines County in respect to said district; and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Bledsoe:

S. B. No. 48, A bill to be entitled "An Act validating Common School District No. 11 of Gaines County, and validating an issue of bonds heretofore voted by said district; defining the powers of the county board of school trustees of Gaines County in respect to said district; and declaring an emergency."

Read first time and referred to Committee on Education.

By Senator Bledsoe:

S. B. No. 49, A bill to be entitled "An Act validating Common School District No. 26 of Gaines County, Texas, and validating an issue of bonds heretofore voted by said district; defining the powers of the county board of school trustees of Gaines County in respect to said district; and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Bledsoe:

S. B. No. 50, A bill to be entitled "An Act validating Common School District No. 27 of Gaines County, and validating an issue of bonds heretofore voted by said district; defining the powers of the county board of school trustees of Gaines County in respect to said district; and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Parr:

S. B. No. 51, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed or are about to fail, to construct their roads and branches, or any part thereof, within the time required by law, and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senator Davis:

S. B. No. 52, A bill to be entitled "An Act to amend Article 151, Title 10, of the Revised Statutes of the State of Texas, relating to the writ for the apprehension of persons who are lunatics or non compos mentis and their detention, prohibiting the incarceration of such persons in county jails in counties where city or county hospitals exist, providing that they shall be detained in such county or city hospitals, and declaring an emergency."

Read first time and referred to Committee on Public Health.

By Senator Holbrook:

S. B. No. 53, A bill to be entitled "An Act making it unlawful for any person to drive or propel any

automobile, automobile truck, or other motor driven vehicle upon the track of any railroad, operated by a steam railroad company or the receiver thereof, or operated by an interurban railroad company or the receiver thereof, without stopping at a distance of not less than twenty feet nor more than fifty feet from the nearest rail, and looking and listening; providing that the Act shall not apply in certain cases; making it a misdemeanor to violate any of the provisions of the Act, and prescribing punishment therefor; providing for the repeal of Section 17 of Chapter 207 of General Laws of the Regular Session of the Thirty-fifth Legislature as officially published, and for the repeal of so much of Chapter 31 of the officially published General Laws of the First Called Session of the Thirty-fifth Legislature and so much of Chapter 13 of the officially published General Laws of the Third Called Session of the Thirty-fifth Legislature as make it a misdemeanor to violate said Section 17 of said Chapter 207 of the General Laws of the 35th Legislature and prescribe punishment therefor; authorizing peace officers to make arrests for the violation of the Act committed within their view or presence; and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Wood by request:

S. B. No. 54, A bill to be entitled "An Act amending Article 7583, Chapter 12, Title 126, of the Revised Civil Statutes of the State of Texas of 1911, relating to the assessment of property for taxation and the compensation to be paid assessors for making assessments."

Read first time and referred to Committee on State Affairs.

By Senator Floyd:

S. B. No. 55, A Bill to be entitled "An Act to appropriate two million dollars (\$2,000,000) out of the general funds of the State to aid all the public schools for the scholastic year beginning September 1, 1925, and ending August 31, 1926, and two million dollars (\$2,000,000) out of the general funds of the State to aid all the public schools for the scholastic year beginning September 1, 1926, and ending August 31, 1927,

the same to be distributed as the available school fund is now distributed and create an emergency."

Read first time and referred to Committee on Finance.

#### Bills Signed.

The Chair, Lieutenant Governor Davidson, signed, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 1, mileage and per diem.

S. B. No. 2, contingent expenses.

#### Adjournment.

Senator Pollard, at 3:30 p. m., moved that the Senate adjourn until tomorrow morning at 10 o'clock, which motion was adopted.

### APPENDIX.

#### Committee Reports.

(Floor Report.)

Senate Chamber,

Austin, Texas, January 14, 1925.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Federal Relations, to whom was referred

Senate Resolution No. 8, in reference to Federal aid and fifty-fifty appropriations, beg to report that same was examined, and we recommend that it be passed as submitted.

POLLARD, Vice-Chairman.

Committee Room,

Austin, Texas, January 14, 1925.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 7, A bill to be entitled "An Act to adopt and establish a Penal Code and a Code of Criminal Procedure for the State of Texas."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

WARD, Chairman.

#### FOURTH DAY.

Senate Chamber,

Austin, Texas,

Friday, January 16, 1925.

The Senate met at 10 o'clock a.

m., pursuant to adjournment, and was called to order by Lieutenant Governor Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Parnell.	Wood.
Parr.	Woodward.

Absent.

Wirtz.

Absent—Excused.

Bailey.

Moore of Cooke.

Lewis.

Murphy.

Prayer by the Chaplain, Rev. Randolph Clark.

Pending the reading of the Journal of yesterday, the same was dispensed with, on motion of Senator Davis.

#### Excused.

Senator Moore of Cook, on account of illness, and on motion of Senator Russek.

Senator Lewis, on account of important business, on motion of Senator Stuart.

Senator Murphy, for today, on account of illness, on motion of Senator Witt.

Senator Wirtz for today, on account of business and on motion of Senator Holbrook.

#### Bills and Resolutions.

By Senator Pollard:

S. B. No. 56, A bill to be entitled "An Act to require all railway companies, and all other persons, firms and corporations to place all bridges, viaducts, overheadways, foot bridges, or wires wherever built or placed over the tracks of a railway not less than twenty-two (22) feet from the top of the rails of such track, and to place all loading platforms, houses, structures, fences, lumber, wood and other materials wherever built, placed or stored along railway lines, spurs, switches or sidings not less than (6) feet from the outside rails